PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION SESSION
TUESDAY, NOVEMBER 26 19 85

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING November 26 A.D., 19 85, IN Regular SESSION. PRESIDENT Mark E. GiaQuinta IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BRADBURY P, BURNS P, EISBART P,
GiaQUINTA P, HENRY P, REDD P,
SCHMIDT P, STIER P, TALARICO P,

ABSENT:

COUNCILMAN:, , ,

THE INVOCATION WAS GIVEN BY

THE MINUTES OF THE LAST REGULAR November 12, 19 85,

, 19 ,

SPECIAL , 19 ,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

November 6, 1985

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, November 6, 1985, I have approved the following ordinance passed by the Common Council at its special meeting of November 5, 1985.

(Bill No. S-85-10-39)
(as amended)
SPECIAL ORDINANCE NO. S-202-85

AN ORDINANCE OF THE CITY OF FORT WAYNE INDIANA AUTHORIZING, INTER ALIA, THE ISSUANCE OF THE CITY OF FORT WAYNE, INDIANA POLLUTION CONTROL REVENUE BONDS (GENERAL MOTORS CORPORATION PROJECT), SERIES 1985

Respectfully yours,

Win Moses, Jr.
Mayor

November 4, 1985

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, November 4, 1985, I have approved the following ordinance passed by the Common Council at its regular meeting of October 22, 1985.

(Bill No. S-85-10-31)
(as amended)
SPECIAL ORDINANCE NO. S-201-85

AN ORDINANCE AMENDING CHAPTER 28 OF THE MUNICIPAL CODE ENTITLED TAXICABS

Respectfully yours,

Win Moses, Jr.
Mayor

November 14, 1985

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, November 14, 1985, I have approved the following ordinances and resolutions passed by the Common Council at its regular meeting of November 12, 1985.

(Bill No. S-85-10-35)
SPECIAL ORDINANCE NO. S-203-85

AN ORDINANCE approving Civil City Purchase Order #A-45280 with Hefner Chevrolet, for the Parks and Recreation Department of the City of Fort Wayne, Indiana

(Bill No. S-85-10-36)
SPECIAL ORDINANCE NO. S-204-85

AN ORDINANCE approving Civil City Purchase Order #A-45255 with Summit-Kenny Machinery Corp. for the Parks and Recreation Department of the City of Fort Wayne, Indiana

(Bill No. S-85-10-37)
SPECIAL ORDINANCE NO. S-205-85

AN ORDINANCE approving Civil City Purchase Order #A-45162 with The Plantation, for the Community Development and Planning Division of the City of Fort Wayne, Indiana

(Bill No. S-85-10-38)
SPECIAL ORDINANCE NO. S-206-85

AN ORDINANCE approving Civil City Purchase Order #A-45331 with Martin Enterprises, for the Community Development and Planning Division of the City of Fort Wayne, Indiana

(Bill No. S-85-10-49)
(as amended)
SPECIAL ORDINANCE NO. S-207-85

AN ORDINANCE concerning the issuance of junior revenue refunding bonds of the City of Fort Wayne, Indiana in the estimated principal amount of $4,440,000 with respect to current interest bonds and an estimated original principal amount of $3,630,521 with respect bond income growth securities and $9,275,242 with respect to capital appreciation bonds, together aggregating an original principal amount now estimated to be $17,345,763, to provide for the refunding of revenue bonds which were issued to provide for the cost of the construction of additions and improvements to the sewage works of the City of Fort Wayne, the collection, segregation and distribution of the revenues of said works, the safeguarding of the interests of the holders of said junior revenue refunding bonds, and other matters connected therewith and repealing ordinances inconsistent therewith

(Bill No. R-85-10-40
RESOLUTION NO. R-120-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF $2,100,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT LINCOLN MANUFACTURING COMPANY, INC., TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-10-41)
RESOLUTION NO. R-121-85

A RESOLUTION approving Fort Wayne Redevelopment Commission's Resolution No. 85-35 for the Anthony-Wayne Trace Industrial Park Renewal Project

(Bill No. R-85-10-42)
RESOLUTION NO. R-122-85

A RESOLUTION authorizing the transfer of funds between certain accounts within the 1985 budgets of certain City Departments

(Bill No. R-85-11-01)
RESOLUTION NO. R-123-85

A RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE ISSUANCE AND SALE OF $405,000.00 ECONOMIC REVENUE BONDS OF THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE APPLICANT HEL-MAR, INC., TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE PROJECT

(Bill No. R-85-11-04)
RESOLUTION NO. R-124-85

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana

(Bill No. R-85-11-05)
DECLARATORY RESOLUTION NO. R-125-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-11-07)
DECLARATORY RESOLUTION NO. R-126-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-11-09)
DECLARATORY RESOLUTION NO. r-127-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-11-11)
DECLARATORY RESOLUTION NO. R-128-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-11-13)
DECLARATORY RESOLUTION NO. R-129-85

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-85-11-31)
RESOLUTION NO. R-130-85

A RESOLUTION of the Common Council of the City of Fort Wayne, Indiana, approving and ratifying the amended budget for the Fort Wayne-Allen County Convention and Tourism Authority for the year 1985

(Bill No. S-85-10-43)
(as amended) (as amended)
SPECIAL ORDINANCE NO. S-208-85

AN ORDINANCE amending the Animal Control Code of the City of Fort Wayne, Indiana

(Bill No. G-85-10-14)
GENERAL ORDINANCE NO. G-26-85

AN ORDINANCE amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana

(Bill No. Z-85-08-34)
ZONING MAP ORDINANCE NO. Z-13-85

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. K-18

(Bill No. S-85-10-45)
SPECIAL ORDINANCE NO. S-209-85

AN ORDINANCE approving City Utilities Purchase Order #A-51789, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and Moore Business Forms, for the Data Processing Department

(Bill No. S-85-10-46)
SPECIAL ORDINANCE NO. S-210-85

AN ORDINANCE approving City Utilities Purchase Order #A-41743, by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and John Dehner, Inc., for the Water Pollution Control Plant

(Bill No. S-85-10-47)
SPECIAL ORDINANCE NO. S-211-85

AN ORDINANCE approving Change Order No. 1 for Res. 6007-84, Southwood Park, Phase I-B, with Dailey Asphalt Products, Co., Inc., in connection with the Board of Public Works and Safety

(Bill No. S-85-10-48)
SPECIAL ORDINANCE NO. S-212-85

AN ORDINANCE approving Change Order No. 1 and FINAL for Contract 85-XP-1, Moeller-Meyer Road Water Main, with Scheidleman Excavating, Inc., in connection with the Board of Public Works and Safety

(Bill No. S-85-10-32)
(as amended) (as amended)
SPECIAL ORDINANCE NO. S-213-85

AN ORDINANCE amending Article III, of Chapter 28 of the Fort Wayne Municipal Code of Fort Wayne, Indiana 1974

Respectfully yours,

Win Moses, Jr.
Mayor

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

1 November 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-10-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of November 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-10-15
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Map Amendment		

DETAILS

Specific Location and/or Address

3205 Northrop Street

Reason for Project

Enable present owners to sell property as a business use.

Discussion (Including relationship to other Council actions)

October 21, 1985 - Public Hearing

The summarization of this case is attached.

October 28, 1985 - Business Meeting

Of the eight members present 7 voted in favor of denial, one did not vote.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Consuelo Rodigrez **City Department** **Other**
Opponents	**Groups or Individuals** Irvington Park Assn. **Basis of Opposition** -devalue property in area -would cause a nuisance -increase traffic
Staff Recommendation	☐ For ☒ Against **Reason Against** -adverse impact on area -create traffic hazard -devalue property in area
Board or Commission Recommendation	**By** ☐ For ☒ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pas

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** September 16, 1985

Projected Completion or Occupancy **Date** November 18, 1985

Fact Sheet Prepared by **Date** November 18, 1985

Patricia Biancaniello

Reviewed by **Date** November 18, 1985

Gary Baker

Reference or Case Number

a. Bill No. Z-85-10-15 - From R-1 to B-3-B
Change of Zone #157
3205 Northrop Street

Ben Eisbart read into the record that the Commission had received six (6) letters in opposition to the rezoning and one (1) letter in favor of the rezoning.

Gary Doeden, agent for the petitioner appeared before the Commission. Mr. Doeden stated that they were requesting the rezoning because the home had been on the market for sale for the last 5 months and no one had requested to see the home and he stated if anyone considers buying it they are opposed to it as a residence because of the heavy traffic on Northrop and

the fact that they are surrounded by businesses across the street and to the north and south of the property. He stated that there are about 2 to 3 blocks that are used residentially on Northrop from that point - the 3200 Block to the By-Pass it is all businesses on both sides of the street. Mr. Doeden stated that he felt that the owner of the property was under a stress situation at this time because the value of the property is meaningless because it cannot be sold as a residential property.

Edith Kenna questioned how long a property would have to be listed before they consider it not marketable as a residential property.

Mr. Doeden stated that the approximate average is 120 days.

Edith Kenna questioned why they were asking for a B-3-B zoning.

Mr. Doeden stated that he went through the Zoning Ordinance and the B-3-B zoning would allow for a professional office.

Steve Smith pointed out that in the Planning Staff Discussion that this area could be used as a transitional office use or if a larger parcel could be developed then it would be more appropriate. He questioned if Mr. Doeden had spoken with the owners of the rest of the properties on this block about such a rezoning.

Mr. Doeden stated they had not spoken with them.

Steve Smith questioned if any of those properties are for sale.

Mr. Doeden stated that they are not to his knowledge.

Edith Kenna questioned if the home was occupied at the present.

Mr. Doeden stated that the home was vacant at this time. He stated that the property was in an estate and the owner has died and the mother of the owner now owns the property and she lives in Marion, IN.

Edith Kenna asked if they had considered renting the property.

Mr. Doeden stated that he has tried to rent the property, but they are not interested in renting because of the traffic and the businesses in the area.

Edith Kenna questioned what was the list price of the home.

Mr. Doeden stated that it was listed for $44,000.

William Beckford, 3333 Northrop Street stated that he was in favor of the rezoning. He stated that his home was on the market

for over a year before he bought it, and felt it was there that long because of the busy street and businesses. He stated that this is an oasis of residences in these two blocks. He stated that he felt if they could rezone this area for business he would be able to sell his home for what it is worth.

Dennis Sherman, 3337 Northrop Street, stated that he to was in favor of the rezoning. He stated that when he moved into the area Northrop was a two-lane, tarred road, like a country road. He stated he would like to move, but he has been informed that his house is practically worthless sitting where it is because you cannot sell them very well. He stated that he cannot afford to take a loss in order to move. He stated that this area may be zoned residential but because of all of the truck traffic and businesses this area is really not residential anymore.

Ron Reinking, 3336 Garland Avenue, Chairman of the Irvington Park Community Association appeared before the Commission in opposition. Mr. Reinking stated that this area is part of the Irvington Park Association. He stated that the area is very much opposed to the rezoning. He stated this rezoning would cause a detrimental effect on the quiet and peaceful nature of the Irvington Park Association. He stated it would also have a detrimental effect on the value of the homes in the Irvington Park Association. He pointed out that in a letter from a resident, Dr. Walter J. Rissing, that he states that there is a covenant that prohibits the property being used for anything that would become a nuisance to the neighborhood. He states that it also reads that Irvington Park will not be used for anything other than single family dwellings. He stated that to allow for this rezoning would allow for a dominoe effect in the area. He stated that rezoning this property would create a traffic hazard in the fact that there would be an access problem from Northrop.

Edith Kenna asked if the property in question was part of the Irvington Park Neighborhood.

Mr. Reinking stated that it was.

Edith Kenna then asked George Martin, legal counsel to explain to the Association the impact of Restrictive Covenants.

George Martin stated that private covenants are not binding on the Plan Commission. He stated that the Plan Commission can give consideration to private covenants in reaching its decision. He stated that if the Commission chose to rezone this is to say that from the Planning Act and from the Zoning Ordinance that he is permitted to use the property as rezoned. The Planning Commission does not by rezoning the property give the petitioner the right to go in there vis-a-vis the Irvington Park Association, should they decide to take the petitioner

to Court on the Restrictive Covenant. He stated that the Commission does not override the Covenant, all the Commission does is say they will consider it from a Planning Act standpoint, from a zoning standpoint we can rezone despite the covenant but it does not effect the right of the neighborhood to take legal action.

Edith Kenna questioned if Mr. Reinking considered $44,000 a fair price for the property in question.

Mr. Reinking stated that he felt it was overpriced.

Steve Smith questioned if the Association had in fact considered that this portion of Northrop was in fact not feasible for residential but at some future date the Association should join forces with the owners of the homes on this corridor and migrate to some sort of logical use that would avoid a possible deterioration of the area.

Mr. Reinking stated that they want to take a position of the highest and best use of the property for the protection of the values of the rest of the association. He stated it should be noted that there are no particular commercial enterprises at that time. He stated that this property was up for rezoning 2 or 3 years ago, and it was denied. He stated that there is a very distinct nature on this property, on this side of Northrop as opposed to the other side of Northrop.

Mr. Doeden, in rebuttal stated that he was unaware that the property had been up for a rezoning, but felt that it was obvious that this property and these two blocks are under a very stress situation at this time. He questioned whether any of the businesses such as the Clark Station were also a part of Irvington Park, and were at one time residential. He pointed out that most of the objections are from property owners on Eastbrook Drive or Grove or Norfolk which is down over the hill, which basically hides them from all of the noise and activity that goes on on Northrop Street.

Herman Friedrich stated that according to our map across the street it is Riverview Park Addition and is not a part of the Irvington Park Addition.

Edith Kenna stated that she has a philisophical problem with rezoning to a B-3-B with out knowing what the intended use of the property is.

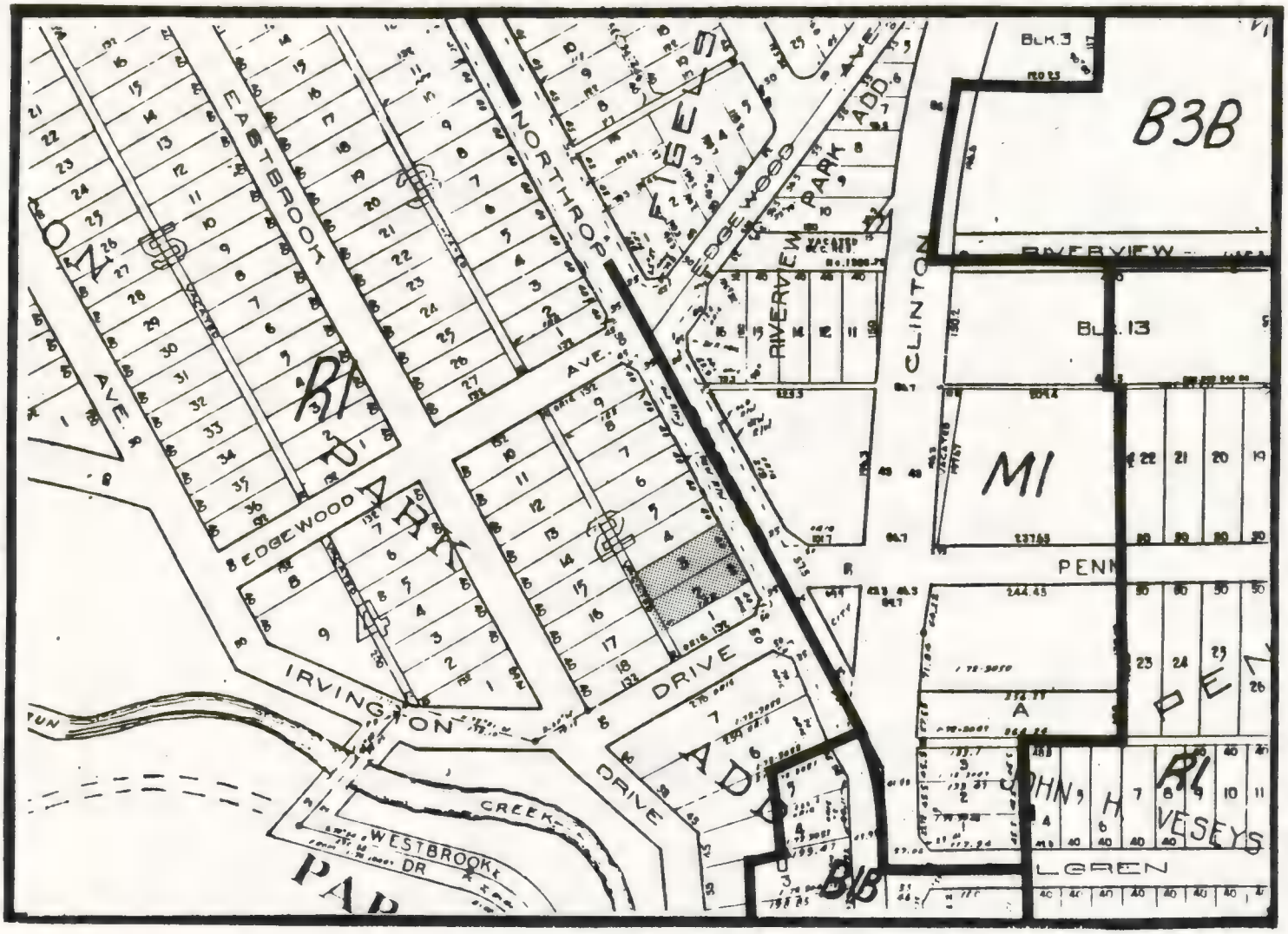
Mr. Doeden stated that if there is another zoning, such as a B-1-B, that would allow for a professional office they would agreeable to that zone. He stated that he has been approached for use of this property as a chiropractor's office.

Edith Kenna suggested that he speak with the staff regarding some alternative zoning or methods of using the property for a professional office.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

BELL No. Z-85-10-15

GENERAL LOCATION MAP FOR 3205 NORTHROP STREET



Zoning:

RI RESIDENTIAL DISTRICT
B1B LIMITED BUSINESS 'B'
B3B GENERAL BUSINESS 'B'
MI LIGHT INDUSTRY

Land Use:

NORTH

MAP NO. M-22

Scale: 1"=200'

Date: 10-1-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 8, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-10-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 21, 1985;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 28, 1985.

Certified and signed this
1st day of November 1985.

Melvin O. Smith
Secretary

CHANGE OF ZONE #157

10 October 1985

PROPOSAL: Petitioner requests a change of zone from R-1 to R-2-S.

Location:

Legal Description:

Existing Zoning:

Size of Property:

Surrounding Land Use & Zoning:

Reason For Request:

Applicable Regulations:

SPECIAL INFORMATION:

Public Utilities:

Physical Characteristics: A structure currently exists on this property.

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state [illegible] with existing land uses and should not establish an undesirable precedent in the area. The goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods. The Comprehensive Plan shows this area as potentially commercial.

Neighborhood Planning : No Comment

Urban Design: No Comment

HANDS: No Comment

Housing Authority: No Comment

SHED: No Comment

PLANNING STAFF DISCUSSION:

The existing zoning provides a break point, with the M-1 zoning classification extending along the northeast side of Northrop, and R-1 or residential zoning on the southwest side. Traffic volume along this stretch seems to be quite active, as Edgewood Avenue traffic filters in to gain southbound access.

Rezoning this parcel to B-3-B would create a precedent that would encourage further commercial encroachment. Although the Comprehensive Plan indicates commercial usage of this area, we do not feel that B-3-B is appropriate. This area would be better suited to a transitional office use, if a larger parcel could be developed, in that it would allow buffering of residential properties.

At this time we believe that the adverse impact on the existing residential uses, and the concerns of traffic volume as encouragement to vehicular accidents would indicate denial.

RECOMMENDATION: Denial

Reasons:

1. Approval would adversely impact the surrounding area.
2. Approval would make it difficult to deny similar petitions in the future.
3. Approval would encourage commercial displacement of existing residential properties.
4. Approval may create concerns regarding public safety, due to the possibility of increasing traffic generation along this corridor.

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

18 November 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-85-06-35

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
18th day of November 1985.

Melvin O. Smith
Secretary

FACT SHEET

Z-85-06-35

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE Zoning Map Amendment

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

5129, 5131 & 5137 Illinois Road

Reason for Project

Petitioner wishes to establish an insurance office on property.

Discussion (Including relationship to other Council actions)

June 17, 1985 - Public Hearing

Doug Morris, architect appeared for the petitioner. He stated that they want to take the residence that is presently on the property and located the nearest to Illinois Road and use it as an insurance office. He stated that there are several structures on the property. He stated they do not intend to make any significant changes to the exterior of the structure. He stated they are requesting the POD designation because it seems like a good transitonary zoning which would allow them to utlize the residence already on the property. He stated that by going for a POD the Commission has the opportunity to approve the development plan.

Mr. Austin Hanauer, petitioner, stated that the intent of the rezoning request at the present is to simply set up an insurance office in the front residence and maintain the remainder of the property as it presently is.

There was no one present who wished to speak in favor of or in opposition to the

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Austin C. Hanauer **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☐ For ☒ Against **Reason Against** -not compatible with area -does not comply with Comp Plan
Board or Commission Recommendation	**By** ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for conditions
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

proposed rezoning request.

July 22, 1985 - Business Meeting

Of the nine members present 8 voted in favor of approval one did not vote.

The petition was approved subject to the following conditions:

1) A dedication of alnd for a 40 foot frontage road is required;

2) An agreement to participate in the cost of construction of the frontage road is required;

3) All curb cuts must be approved by Traffic Engineering, and shall be subject to review for closure when deemed appropriate;

4) Any structure or encroahcments must be removed, and the frontage road constructed when requested by Traffic Engineering.

The petitioner has agreed to the above stated conditions and has submitted a covenat to that effect. The covenant will be recorded when/if the ordinance is approved. A copy of the covenant is attached to the origional ordinance and is on file in the Plan Commission Office.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** May 17, 1985

Projected Completion or Occupancy **Date** November 18, 1985

Fact Sheet Prepared by **Date** November 18, 1985

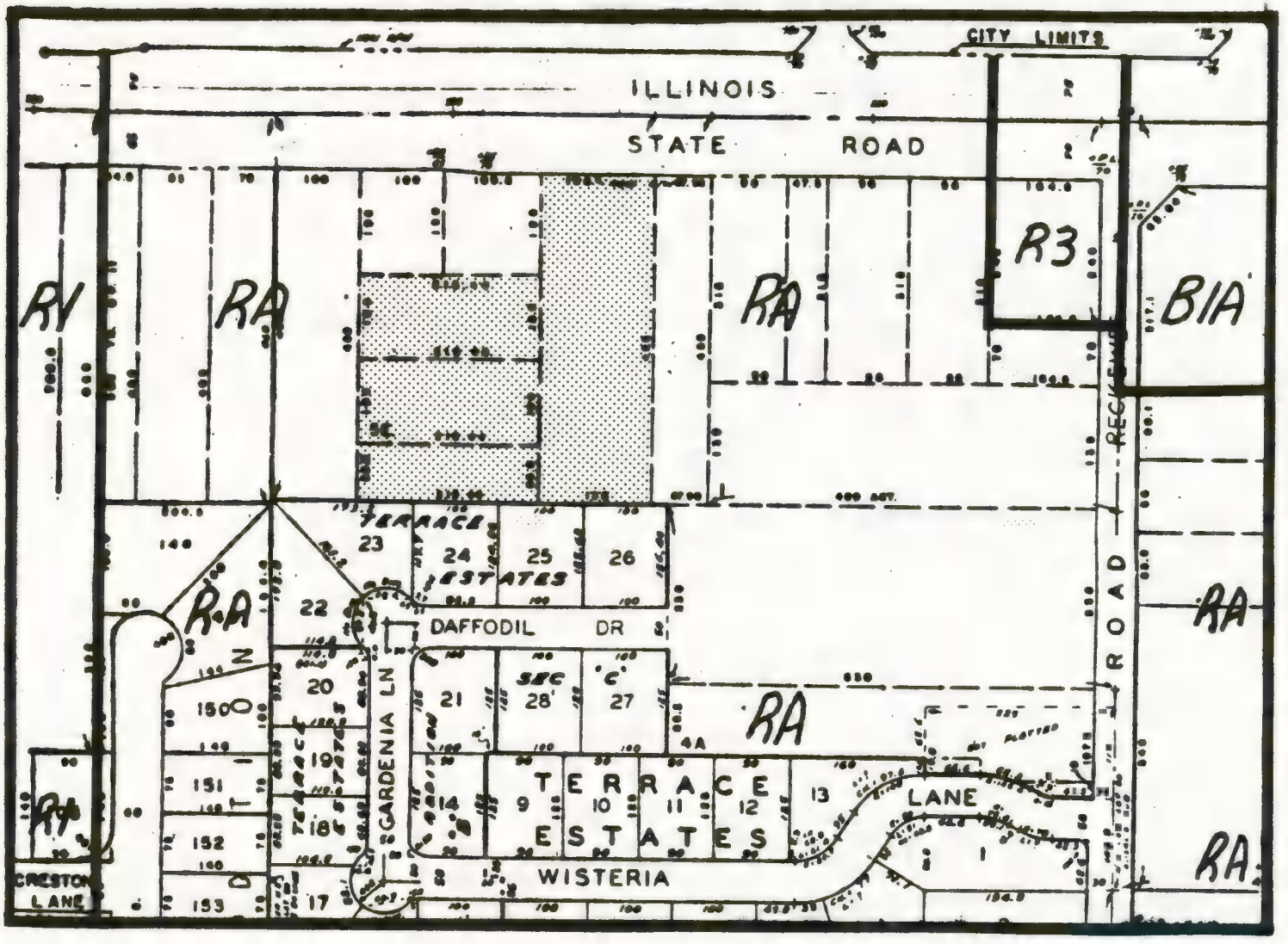
Patricia Biancaniello

Reviewed by **Date** November 18, 1985

Gary Bretos

Reference or Case Number

GENERAL LOCATION MAP FOR 5129, 5131 & 5137 ILLINOIS RD.



Zoning:

RA RESIDENCE 'A'
R1 RESIDENTIAL DISTRICT
R3 RESIDENTIAL DISTRICT
BIA LIMITED BUSINESS "A"

Land Use:

BILL NO. Z-85-06-35

NORTH

Scale: 1"=200'

Date: 5-29-85

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on June 25, 1985, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-85-06-35; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on June, 17, 1985.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held July 22, 1985.

Certified and signed this
18th day of November 1985.

Melvin O. Smith
Secretary

Change of Zone #136 6 June 1985

PROPOSAL:

Austin Hanauer petitions for a change of zone from RA to POD.

GENERAL INFORMATION:

Location:	5129-31-37 Illinois Road
Legal Description:	Metes & Bounds in File
Existing Zoning:	RA
Size of Property:	2.516 Acres ±
Surrounding Land Use & Zoning:	The area to the east, west & south are zoned RA. The area to the north is not within the jurisdiction of the city.
Reason For Request:	Establishment of an insurance office.
Applicable Regulations:	RA designation permits residential, agricultural, and some quasi-commercial uses (with BZA approval).
Comprehensive Plan:	The general land use policies state that rezoning and development proposals should be compatible with existing land uses and should not establish an undesirable precedent in the area. The overall goal in the Outer Ring, where this request is located is to encourage growth in a balanced manner that is within or adjacent to existing development. The specific goal for the West Sector of the Outer Ring is to contain urban growth within the urban service line. The Comprehensive Plan shows residential at this location.
Neighborhood Planning:	No Comment
Urban Design:	No Comment
HANDS:	No Comment
Housing Authority:	No Comment

SPECIAL INFORMATION:

Physical Characteristics:	Proposed site currently has existing structures, which are used for residential and greenhouse purposes.

PLANNING STAFF DISCUSSION:

The Comprehensive Plan shows residential development at this location. The existing development is within the designated limits of the RA zoning district. The proposed use is to develop a professional office district for an insurance office, while maintaing the residence and greenhouse. This would not be an appropriate POD development.

RECOMMENDATION: Denial

1) An undue hardship does not exist on the property as it has already been developed residtentially.

2) Proposed usage is not compatible with the surrounding area or comprehensive plan.

3) Its approval would make it difficult to deny similar requests.

4) Scattering of office developments all across the community would makt it difficult to implement the Comprehensive Plan.

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

1 November 1985

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of portion of public street.

The proposed ordinance is designated as:

BILL NO. G-85-10-17

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day ofNovember 1985.

Melvin O. Smith
Secretary

FACT SHEET

G-85-10-17
BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE Street Vacation Ordinance

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

3600 Block Maumee Avenue

Reason for Project

To clear up a fence encroachment by adjacent property owners.

Discussion (Including relationship to other Council actions)

21 October 1985 - Public Hearing

Ben Eisbart, read into the record a letter from Russell McIntosh in opposition to the vacation which stated that the portion of street which they are requesting vacated "limits the visibility of oncoming traffic making it dangerous for us and our customers to pull out on Maumee. Currently the fence extends 13 feet beyond the State right-of-way. I support a compromise plan of 10 feet. Another 3 feet would increase our view of oncoming traffic and would not seriously inconvenience Fort Wayne Auto Parts."

Mr. Barry Pass representing Fort Wayne Auto Parts stated that the fence does encroach into the right-of-way. He stated it was inadvertently constructed some 35 years ago, long before McIntosh Energy located next door. He stated he is not familiar with the circumstances of the construction of the fence. He stated if the vacation is denied it would meed relocating all of the facilities that are located behind the fence. He stated even to move it back 3 feet would be an inconvenience.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Fort Wayne Auto Parts & Wreckers **City Department** **Other**
Opponents	**Groups or Individuals** Russel McIntosh of McIntosh Energy Co., Inc. **Basis of Opposition** -encroachment blocks visibility of oncoming traffic
Staff Recommendation	☐ For ☒ Against **Reason Against** -approval would not benefit the city -precendent may be establish lessening enforcement power
Board or Commission Recommendation	**By** ☐ For ☒ Against ☐ No Action Taken ☐ For with revisions to conditions (See Details column for condition
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pass

DETAILS

He stated that the utility pole located in front of the fence which is in the right-of-way causes more obstruction than the fence. He stated that Traffic Engineering has no objection to the vacation. He stated it will benefit the City by placing this property on the tax roles and also eliminate any maintenance by the City. He stated that none of the utilities have raised any objection (NOTE: Water Engineering does not want this portion of Maumee vacated, due to one existing infrastructure.) to the vacation. He stated if the utilities had any objections they would give them any easements necessary. He stated that a precedent has been set, in that the encroachment has not been enforced in the past 35 years. He stated in the last 35 years there does not seem to ba a traffic hazard caused by this encroachment.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

October 28, 1985 - Business Meeting

Of the eight members present 7 voted in favor of denial one did not vote.

The Commission felt that if vacated this would cause a safety hazard.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start **Date** September 19, 1985

Projected Completion or Occupancy **Date** November 18, 1985

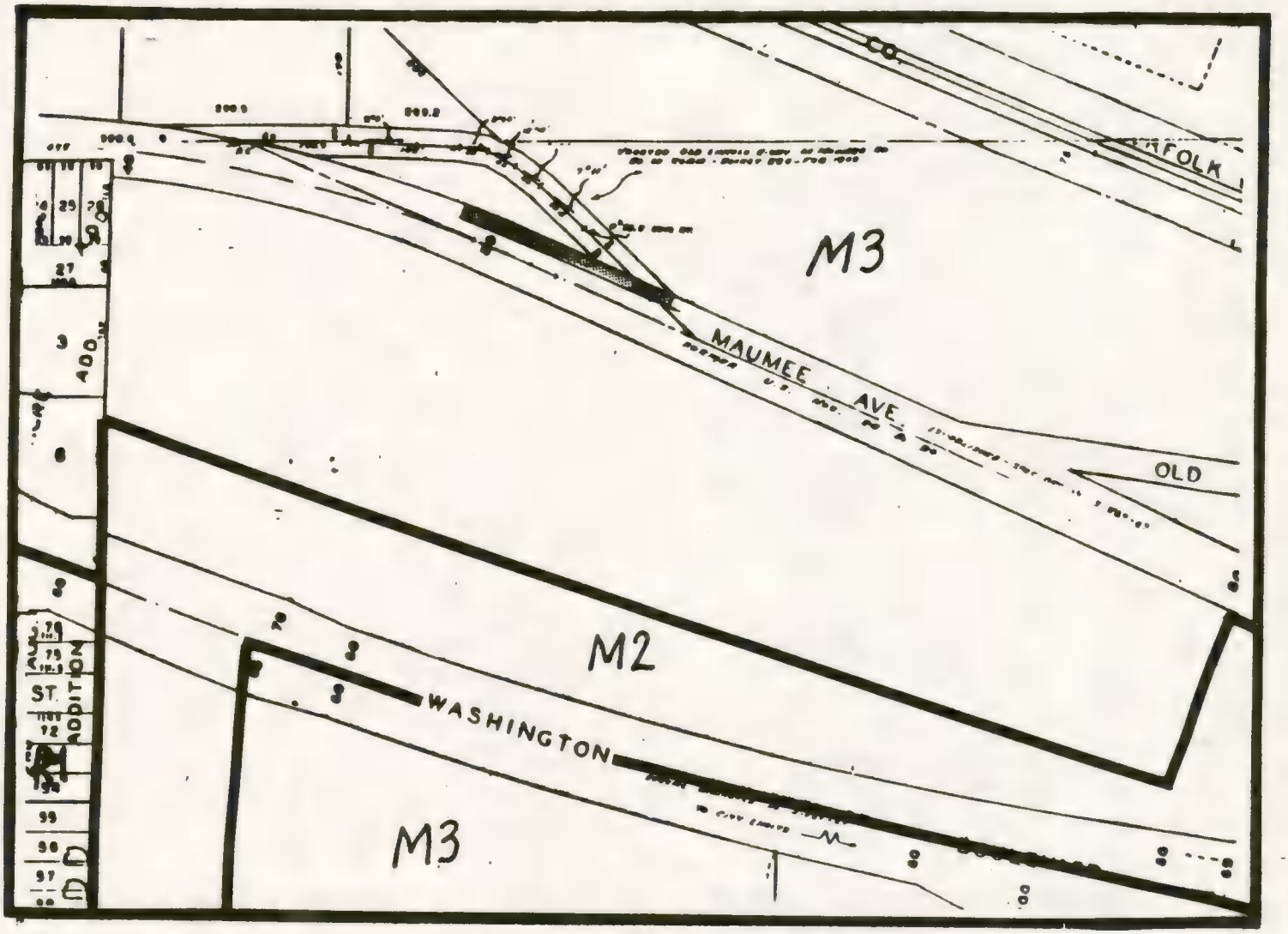
Fact Sheet Prepared by **Date** November 18, 1985

Patricia Biancaniello

Reviewed by **Date**

Reference or Case Number

GENERAL LOCATION MAP FOR MAUMEE AVE. VACATION



Zoning:

Land Use:

M3 HEAVY INDUSTRY

M2 GENERAL INDUSTRY

R1 RESIDENTIAL DISTRICT

BILL NO. C-85-10-17

NORTH

L.W.

MAP NO. R-2

Scale: 1" = 220'

Date: 10-1-85

VACATION PETITION #158

10 October 1985

PROPOSAL: Fort Wayne Auto Parts & Wreckers, Inc., petitions for the vacation of a portion of Maumee Avenue.

GENERAL INFORMATION:

Location:	3600 Block of Maumee Avenue
Legal Description:	See File
Existing Zoning:	D/N/A
Size of Property:	3,250 sq. ft.
Surrounding Land Use & Zoning:	Adjacent area is zoned M-3.
Reason For Request:	Unknown
Applicable Regulations:	Vacations must be approved by the City Plan Commission, Board of Public Works and City Council.

SPECIAL INFORMATION:

Public Utilities:	Available
Physical Characteristics:	Part of existing street right-of-way is enclosed by fence.
Trafffic Engineering:	No objection to vacation.

PLANNING STAFF DISCUSSION:

We see no advantage to the City vacating this portion of Maumee Avenue. This portion, although unimproved, serves as a right-of-way separator between traffic and private property. There currently is a fence located in this area that appears to be encroaching on the right-of-way, this appears to be the reason for the petition.

This area has predominantly industrial or heavy commercial usage, with traffic consisting of passenger cars and heavier vehicles. While the need for the current amount of right-of-way may be questionable, vacation of only a small portion, in front of one business does not seem logical.

If, in fact, the fence encroachment does exist, that should be enforced to its logical conclusion. The City has enforced encroachment problems in other areas, and should be consistent in its treatment of possible violations.

RECOMMENDATION: Denial

1. Approval would not benefit the City of Fort Wayne.
2. Precedent may be established, lessening the enforcement of right-of-way encroachment violations.

75-121-9

10/31/85

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

29 October 1985

TO: Board of Public Works

FROM: City Plan Commission

Please be advised that at the regularly scheduled meeting of the Plan Commission held Monday, October 28, 1985 a DO NOT PASS recommendation was given for the request to vacate this portion of Maumee Avenue. (SEE ATTACHED)

Board

RESOLUTION OF RIGHT-OF-WAY VACATION RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on October 8, 1985, referred a proposed righty-of-way vacation to the City Plan Commission which proposed vacation ordinance was designated as Bill No. G-85-10-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been publihsed as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 21, 1985.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Comon Council with a DO NOT PASS recommendation.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 28, 1985.

Certified and signed this
18th day of November 1985.

Melvin O. Smith
Secretary

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 190/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 190/85 E)

I hereby certify that I did this 14th day of November, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 190/85 E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J. D. Gonzalez

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 190/85/E

(Adopted November 14, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 13, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective November 14, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Calhoun Street -- west side -- between Fourth Street and Fifth Street

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 191/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 191/85/E)

I hereby certify that I did this 15th day of November, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 191/85/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

A. D. Canales

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 191/85/E

(Adopted November 15, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 14, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective November 15, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1303 Elm Street	— south side —	from 40' west of Center Street to 20' west thereof

City Clerk

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

193/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 192/85 / E)

I hereby certify that I did this 22nd day of November, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 192/85 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J. D. Condra

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 192/85 /E

(Adopted November 22 , 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to Impaired Mobility Parking (Residential) (Emergency)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 18 , 1985 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective November 22 , 1985 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

Impaired Mobility Parking (Residential) (Emergency)

934 Grace Avenue	--north side--	from 170 feet west of Miner Street to 20 feet west thereof

City Clerk.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

193/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 193/85 / E)

I hereby certify that I did this 22nd day of November, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 193/85 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 193/85 /E

(Adopted November 22 ____, 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to Thru Street (Emergency)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 15, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective November 22, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

Thru Street (Emergency)

Reckweg Road --from Illinois Road to West Jefferson Boulevard

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 194/85 / E)

I hereby certify that I did this 22nd day of November, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 194/85 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J. D. Conrad

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 194/85 /E

(Adopted November 22 , 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to Parking (Emergency) : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 20, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective November 22, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

No Parking (Emergency)

Burns Boulevard	-- both sides --	from Calhoun Street to Harrison Street

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

195/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 195/85/ / E)

I hereby certify that I did this 22nd day of November, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 195/85/ E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J.D. Conahan

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 195/85 /E

(Adopted November 22 , 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to Stop Intersection : AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 22 , 19 85 , submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective November 22 , 19 85 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

Stop Intersection (Emergency)

Delaware Avenue --stop-- for Alabama Ave.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

196/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 196/85 / E)

I hereby certify that I did this 22nd day of November, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 196/85 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

L-D Conaster

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 196/85 /E

(Adopted November 22 , 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to Thru Street

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 22, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective November 22, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

Thru Street (Emergency)

Speedway Drive	--from Coliseum Boulevard to Ley Road except at Coliseum Boulevard and Ley Road

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

197/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 197/85 / E)

I hereby certify that I did this 22nd day of November, 19 85 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 197/85 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J. D. Conrad

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 197/85/ /E

(Adopted November 22 , 19 85)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to Two Hour Parking 8:00 a.m. to 6:00 p.m., One hour Parking 8:00 a.m. to 6:00 p.m. No Parking: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 22, 19 85, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective November 22, 19 85, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

Two Hour Parking 8 a.m. to 6 p.m.		(Emergency)
Berry Street	--south side--	from Barr Street to 130' east thereof
One Hour Parking 8 a.m. to 6 p.m.		(Emergency)
Berry Street	--south side--	from Barr Street to 220' east of Clinton Street
No Parking		(Emergency)
Berry Street	--south side--	from Barr Street to 220' east of Clinton Street

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

199/85/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Lawrence D. Consalvos

Lawrence D. Consalvos, Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 199/85 / E)

I hereby certify that I did this 22nd day of November, 1985 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 199/85 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.

J. D. Condra

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 199/85 /E

(Adopted November 22, ____, 1985)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to Stop Intersection

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 22, 1985, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective November 22, 1985, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

Stop Intersection (Emergency)

Humphrey Street --stop-- for Grant Street

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 26th day of November, 1985, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____,

_____
SANDRA E. KENNEDY, CITY CLERK